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MEMO ENDORSED

May 6, 2025

VIA ECF

Honorable Colleen McMahon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Ok, Conference adjourned to
6/5/2025 at 11:15 am.

Colleen McMahon
5/7/2025

Re: Tyrefe Kelly v. City of New York, et al.,
25 Civ. 0152

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel and the attorney representing defendants the City of New York, the New York City Department of Correction, and the New York City Police Department ("Defendants") in this matter.¹ The parties jointly request that the Court adjourn the initial conference presently scheduled for May 8, 2025. This is the second request that the Court adjourn the initial conference.

On April 30, 2025, the Court *sua sponte* adjourned the initial conference, which was previously scheduled for May 1, 2025, until May 8, 2025 at 11:30 am. The Special Federal Litigation Division of the NYC Law Department is holding a pre-scheduled, day-long event on the same date and attendance is mandatory. Thus, the undersigned is unable to attend the conference on May 8th. Additionally, plaintiff's counsel also has a pre-scheduled conflict and is unable to attend the conference.

Accordingly, the parties respectfully request that the Court adjourn the initial conference in this matter to a date and time that is convenient to the Court.

The parties thank the Court for its time and consideration herein.

¹ Defendants respectfully note that DOC and NYPD are non-suable entities. See Ortiz v. Ardolino, 19-CV-0069 (ILG) (ST), 2021 U.S. Dist. LEXIS 97387, at *4 (E.D.N.Y. May 21, 2021) (holding that "it is well-settled that the NYPD, its 75th Precinct, and the DOC are not suable entities.") (internal citations omitted).

Respectfully submitted,

Mary Jane Anderson /s/

Mary Jane Anderson
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Ezra B. Glaser, Esq. (via ECF)